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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

MARTIN DELANO CARLISLE,

Defendant and Appellant.

B261617

(Los Angeles County Super. Ct.  
No. MA063224)

APPEAL from a judgment of the Superior Court of Los Angeles County,  
Christopher Estes, Judge. Affirmed.

Carlos Ramirez, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

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In June 2014, defendant and appellant Martin Delano Carlisle entered a plea of no contest to resisting an executive officer (Pen. Code, § 69),<sup>1</sup> and admitted suffering a prior conviction under the three strikes law (§§ 1170.12, subds. (a)-(d), 667, subds. (b)-(i).) He was sentenced to 32 months in state prison. On December 31, 2014, the trial court denied defendant's petition for resentencing as a misdemeanor under the ameliorative provisions of Proposition 47 (entitled "The Safe Neighborhoods and Schools Act").

Defendant filed a timely notice of appeal. This court appointed counsel for defendant on appeal. Appointed counsel filed a brief raising no issues, but requesting this court to independently review the record for arguable contentions pursuant to *People v. Wende* (1979) 25 Cal.3d 436. Defendant was advised on his right to file a supplemental brief within 30 days. No brief has been received from defendant.

We have completed our independent review of the record. There are no arguable appellate issues. Misdemeanor resentencing under Proposition 47 is available to "[a] person currently serving a sentence for a conviction" under "Sections 11350, 11357, or 11377 of the Health and Safety Code, or Section 459.5, 473, 476a, 490.2, 496, or 666 of the Penal Code." (§ 1170.18, subd. (a).) Defendant is not eligible for resentencing under Proposition 47 because section 69 is not among the offenses specified in section 1170.18, subdivision (a). The trial court properly denied the petition for resentencing.

The judgment is affirmed. (*Smith v. Robbins* (2000) 528 U.S. 259.)

KRIEGLER, J.

We concur:

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<sup>1</sup> All statutory references are to the Penal Code, unless otherwise stated.

TURNER, P. J.

MOSK, J.